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PATENT Attorney Docket No. P05623US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

DOWNIE, A. Bruce, et al.

Group Art Unit: 1692

SERIAL NO:

10/812,271

Examiner:

FILED:

March 29, 2004

Confirmation No: 3045

TITLE:

STRESS-RESPONSIVE GENES, REGULATORY ELEMENTS, AND

METHODS OF USE FOR SAME

INFORMATION DISCLOSURE STATEMENT FILED WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This information disclosure statement is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, or before the mailing of a first office action after the filing of a request for continued examination, whichever event occurs last.

Attached is Form PTO/SB/08B (formerly Form PTO-1449) listing the relevant art known to the applicant herein. Copies of the references are enclosed. The Examiner is requested to consider the references and make them of record.

Applicants disclose herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of

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Heidi S Nebel

which, there may be a duty to disclose. Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement, except those identified above.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner.

Respectfully submitted,

HEIDI S. NEBEL, Reg. No. 37,719

McKEE, VOORHEES & SEASE, P.L.C.

801 Grand Avenue, Suite 3200 Des Moines, Iowa 50309-2721

Phone No. (515) 288-3667 Fax No. (515) 288-1338

CUSTOMER NO: 22885

- bja -

Attorneys of Record



Form PTO/SB/08B (10-01)
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of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number Complete if Known Substitute for form 1449B/PTO 10/812,271 Application Number Filing Date March 29, 2004 INFORMATION DISCLOSURE **First Named Inventor** DOWNIE, A. Bruce, et al. STATEMENT BY APPLICANT Group Art Unit 1692 Examiner Name (Use as many sheets as necessary) Attorney Docket Number Sheet of P05623US01

| | | OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | - |
|------------------------|---------------|---|----|
| Examiner Initials * | Cite No. 1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T² |
| | 1 | Anderson, Catherine M., et al. "Inactivation of Arabidopsis SIP1 leads to reduced levels of sugars and drought tolerance" Journal of Plant Physiology. 158. 1215-1219 (2001) | |
| | 2 | Taji, Teruaki et al. "Important roles of drought- and cold-inducible genes for galactinol synthase in stress tolerance in Arabidopsis thaliana" The Plant Journal (2002) 29(4), 417-426 | |
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^{*} EXAMINER: Initial if reference considered whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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